

EI-2367

June 23, 2006

Julie R. Petix
509 Oliver Street
Bordentown City, NJ 08505

#B-167-1185X

The Honorable Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, NW
Room 700
Washington, DC 20423-0001

Dear Mr. Secretary:

I am writing to request that the Surface Transportation Board deny the June 12, 2006 request of the Consolidated Rail Corporation (Conrail) to abandon a portion of the Camden and Amboy Railroad. This portion of the railroad, known as the Robbinsville Industrial Track, traverses the municipalities of Hamilton and Washington Townships, Mercer County, New Jersey and is located approximately between railroad mileposts 32.20 and 37.90. The Camden and Amboy Railroad is historically significant. The forfeiting of its right-of-way is not in the best interest of the general public.

With respect to Conrail's abandonment application, it is my assessment that responses to important and complex questions on historic significance, traffic, air pollution, the environment, etc. were unduly simple, unsubstantiated, and incomplete. The New Jersey Department of Environmental Protection, Historic Preservation Office has acknowledged and emphasized the historical significance of the Camden and Amboy Railroad at both the state and national levels (NJDEP 2006). Citing numerous studies conducted by federal, state, and private engineering firms, the Historic Preservation Office judged the Camden and Amboy Railroad to be eligible for listing in the National Register of Historic Places.

As discussed at a June 13, 2006 public meeting entitled, "Route 130 Redevelopment: What You Need to Know", Washington Township officials and Conrail have negotiated the abandonment of the Robbinsville Industrial Track in order to redevelop the land to expand the township's tax base (The Times 2006). Rather than abandoning industrial rail lines, Pennsylvania Governor Ed Rendell has recently awarded over \$7,000,000 for projects that will both help preserve rail-freight service and stimulate economic development (Railroad.net 2004). In addition, with record high crude oil prices considered below their "real value" (MSNBC 2006), it may be prudent to keep the Robbinsville Industrial Track functionally operational for future public transportation opportunities. The recently completed NJ Transit light rail River LINE, which runs from Trenton to Camden, has experienced great success. During state fiscal year 2005, there were 2,018,700 passenger trips recorded for the River LINE (NJ Transit 2006).

A collaborative study of New Jersey's Route 1 corridor describes the severe daily traffic congestion resulting in significant time and energy losses, increased air pollution, and diminished overall quality of life for residents (NJDOT 1999). The abandonment and redevelopment of the Robbinsville Industrial Track may in the future contribute to a similar situation on the Route 130 corridor.

Also discussed during the June 13, 2006 public meeting were possible condemnation of private property and wetland destruction. By definition, wetlands generally are land areas that become saturated with water for some period of time. They are important for a number of reasons including flood prevention, filtration and purification of surface water, and the provision of habitat for numerous animal species. Some animals that live in other habitats use wetlands for migration and/or reproduction (ATSDR 2003). With respect to the condemnation of private property, some opponents of the Supreme Court's June 23, 2005 eminent domain decision argue that forcibly shifting land from one private owner to another, even with fair compensation, violates the Fifth Amendment to the Constitution of the United States of America (Washington Post 2005). Former Justice Sandra Day O'Connor, who cast a dissenting vote, wrote that the ruling favored the most powerful and influential in society and leaves small property owners little recourse.

Thank you for your kind consideration of this request to deny the proposed abandonment of the Robbinsville Industrial Track.

Yours truly,

A handwritten signature in black ink, appearing to read "Julie R. Pen". The signature is fluid and cursive, with a large loop at the beginning and a trailing flourish at the end.

Enclosures: 10 copies

c: The Honorable Chris Smith, Congressman, New Jersey 4th District
Catherine Glidden, Section of Environmental Analysis, Surface Transportation Board
John Enright, Associate General Counsel, Conrail
Dorothy Guzzo, NJ Deputy State Historic Preservation Officer
John Kilbride, President, Camden & Amboy Railroad Historical Society
Rocky Swingle, President, Save Hamilton Open Space
Michael Hunninghake, Chairperson, Bordentown City Environmental Commission

References

[ATSDR] Agency for Toxic Substances and Disease Registry 2003. Public Health Assessment for Dismal Swamp Site, South Plainfield, Middlesex County, New Jersey. US Department of Health and Human Services, June 20, 2003.

MSNBC 2006. Oil Prices Rally Again, Top \$72 A Barrel. Accessed June 21, 2006 at <http://www.msnbc.msn.com>

NJDEP 2006. May 25, 2006 letter from NJ Department of Environmental Protection, Office of Permit Coordination and Environmental Review to Surface Transportation Board, Section of Environmental Analysis.

NJ Transit 2006. NJ Transit Facts At A Glance (Updated February 16, 2006). Available at <http://www.njtransit.com>.

Railroad.net.com 2004. Rendell Administration Announces \$7.4 Million for Rail-Freight Improvement Project. Posted: Tuesday, July 20, 2004. Accessed June 21, 2006 at <http://www.railroad.net/forums/viewtopic>.

The Times 2006. Redevelopment Plan On Rt. 130 Will Be Aired. June 13, 2006

Washington Post 2005. Justices Affirm Property Seizures. Posted: Friday, June 24, 2005. Accessed June 23, 2006 at <http://www.washingtonpost.com>.